

Message Text

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C O N F I D E N T I A L SECTION 1 OF 3 MONTEVIDEO 0248

EXDIS

E.O. 11652: GDS
TAGS: OAS, SHUM, UY
SUBJ: URUGUAY: OASGA

REF: MONTEVIDEO 135

1. SUMMARY: IN AN EXTENDED MEETING WITH ARMED FORCES
POLITICAL COMMISSION AND FONMIN, THEY AGONIZED OVER OUR
OPPOSITION TO GOU HOSTING VIII OASGA. THEY PURPOSTED A
COMMITMENT TO TAKE POSITIVE MEASURES IN HUMAN RIGHTS FIELD
WHICH WOULD SATISFY OUR CONCERNS. THEY TRIED TO SEPARATE
THEIR DIFFICULTIES WITH IAHRM AND "PROCEDURAL" VOTE ON
OASGA SITE. I COUNTERED THAT THEIR INVITATION TO THE
OAS DIRECTLY THREATENED THE IAHRM'S INSTITUTIONAL VIABILITY
AND FORCED US TO OPPOSE THEIR OFFER. THE GOU COULD RESOLVE
THIS PROBLEM BY INITIATING NEGOTIATIONS WITH THE IAHRM
AND DEVELOPING A NEW RELATIONSHIP, BEFORE THE SITE
ISSUE WAS VOTED. THEY WILL CONTINUE TO STUDY THE ISSUE
AND PROMISED TO KEEP ME INFORMED. THE GOU HAS NEATLY
WORKED ITSELF INTO A BLIND ALLEY. IT SUSPECTS IT DOES
NOT HAVE THE VOTES IN THE OAS AND DOES NOT RELISH MAKING
PEACE WITH THE VERY ORGANIZATION THEIR GAMBIT WAS MEANT
TO EMBARRASS. WE MUST ASSURE THAT WE HAVE THE VOTES
TO BLOCK. A VICTORY BY THE GOU WOULD BE A MAJOR BLOW TO
OUR HUMAN RIGHTS POLICY IN THE HEMISPHERE, TO THE OAS
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AND IAHRM AND WOULD BE A SERIOUS SET BACK ON THE BI-
LATERAL SIDE. END SUMMARY.

2. I WAS CALLED BY THE FOREIGN OFFICE EVENING JANUARY 19
AND ASKED TO A MEETING WITH THE FONMIN AND THE POLITICAL
COMMISSION OF THE ARMED FORCES TO DISCUSS THE OASGA ISSUE.
IN ATTENDANCE WERE FONMIN ROVIRA; ARMY GENERALS ALVAREZ,

RAPELA, QUIEROLO; AIR FORCE. BRIG. GENERALS BENDAHAN AND BORAD; NAVY ADMIRAL SANGURGO, AND SECRETARY OF THE POLITICAL COMMISSION, AIR FORCE COL. MARTINEZ. ROVIRA AND ALVAREZ WERE THE PRINCIPAL SPOKESMEN. THEY BEGAN BY INDICATING THAT THEY WERE STUDYING THE "PALADINI PROPOSAL" AND WANTED TO DISCUSS THE ISSUE IN DEPTH WITH ME. THEIR PRINCIPAL OPENING POINTS WERE: A) THEY DIFFERENTIATED BETWEEN THE HUMAN RIGHTS ISSUE AND THEIR RELATIONS WITH THE IAHRC AND THE PROCEDURAL QUESTION OF THEIR INVITATION TO HOST THE VIII OASGA; B) THE IAHRC HAD ACTED WITH SUCH PREJUDICE AGAINST THE GOU THAT IT WAS DIFFICULT TO BELIEVE THAT A NEW RELATIONSHIP COULD BE ESTABLISHED WHICH WOULD BLOT OUT THE ERRORS OF THE PAST; C) IT WAS A MOST INOPPORTUNE TIME FOR THE GOU TO MAKE ANY OVERTURES TO THE IAHRC SINCE ANY NEGOTIATION WOULD BE VIEWED AS GOU CABING TO USG PRESSURE; D) THE GOU WOULD BE MOVING POLITICALLY IN THE MONTHS AHEAD IN A DIRECTION WHICH WOULD SATISFY USG CONCERNS ABOUT HUMAN RIGHTS BUT CONFRONTATION IN THE OAS BETWEEN OUR TWO COUNTRIES ON THE ISSUE OF THE SITE OF THE OASGA WOULD AROUSE ANTI-USG ELEMENTS WITHIN URUGUAY, AND MAKE SUCH POLITICAL LIBERALIZATION MUCH MORE DIFFICULT; E) IF THE USG COULD SOMEHOW HOLD BACK ITS OPPOSITION AND LET THIS ISSUE PASS (I.E. ALLOW THE OASGA TO MEET IN MONTEVIDEO) WE COULD AVOID A CLASH HARMFUL TO OUR MUTUAL INTERESTS.

3. I BEGAN BY REVIEWING THE RECENT HISTORY OF USG HUMAN
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RIGHTS POLICY, GIVING SPECIAL EMPHASIS TO THE IMPORTANCE WE PLACE ON DEVELOPING THE IAHRC AS THE HEMISPHERIC MONITOR OF HUMAN RIGHTS PERFORMANCE. WE RECOGNIZE THAT THE IAHRC LIKE ANY HUMAN INSTITUTION IS NOT A PERFECT INSTRUMENT, BUT WE BELIEVE STRONGLY THAT IT PERFORMS AN ESSENTIAL FUNCTION AND CAN ONLY GROW IN PRESTIGE AND EFFECTIVENESS IF EACH MEMBER STATE FULLY SUPPORTS AND DEALS WITH IT IN A FORTHRIGHT MANNER. WE ARE NOT UNMINDFUL OF THE URUGUAYAN COMPLAINTS AGAINST THE IAHRC NOR ARE WE ATTEMPTING TO FIND FAULT ON EITHER SIDE FOR THE FAILURE TO DEVELOP A FRUITFUL RELATIONSHIP IN THE PAST. BUT WE ARE CONVINCED THAT THE GOU AND THE IAHRC CAN OVERCOME THE DIFFERENCES WHICH SEPARATE THEM WITH GOOD WILL AND A POSITIVE ATTITUDE. AS TO THE ISSUE BEFORE US, I NOTED THAT IT WAS THE ACTION TAKEN BY THE GOU IN INVITING THE OAS TO HOLD ITS VIII GENERAL ASSEMBLY HERE, INCIDENTALLY WITHOUT PRIOR CONSULTATION WITH US, THAT RAISED THE VERY IMPORTANT INSTITUTIONAL ISSUE FOR THE USG AS TO HOW WE COULD SUPPORT THAT INVITATION IN VIEW OF THE UNWILLINGNESS OF THE GOU TO PERMIT AN IAHRC VISIT. UNTIL A MONTH AGO WE HAD BEEN PROCEEDING ON THE BASIS THAT, SINCE THE GOU TOOK SO NEGATIVE AN ATTITUDE TOWARD THE IAHRC -- AND THIS HAD BEEN STATED VERY SUCCINCTLY BY

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C O N F I D E N T I A L SECTION 2 OF 3 MONTEVIDEO 0248

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PRESIDENT MENDEZ TO PRESIDENT CARTER -- WE SHOULD EXPLORE OTHER MEANS TO GET A MORE ACCURATE PICTURE OF THE HUMAN RIGHTS SITUATION IN URUGUAY. ACCORDINGLY, THE SUBJECT OF TAKING UP THE OFFER OF PRESIDENT MENDEZ TO PRESIDENT CARTER TO SEND INDIVIDUALS OR GROUPS HERE WAS UNDER ACTIVE STUDY. HOWEVER, THE GOU ACTION OF INVITING THE OASGA HAD FORCED US TO AGAIN ACTIVELY ENGAGE THE ISSUE OF THE RELATIONSHIP BETWEEN THE GOU AND THE IAHRC. OUR POSITION ON THAT ISSUE IS CLEAR. WE WOULD HAVE NO DIFFICULTY IN SUPPORTING THE GOU OFFER TO HOST THE VIII OASGA ONCE IT WAS CLEAR THAT ITS RELATIONSHIP WITH THE IAHRC HAD BEEN REPAIRED.

4. GENERAL ALVAREZ SAID HE COULD NOT UNDERSTAND WHY WE WERE IMPOSING CONDITIONS ON THE GOU WHEN THE FAULT LAY WITH THE COMMISSION, WHICH HAD VIOLATED ITS OWN PROCEDURES AND STATUTES AND HAD BECOME A PARTY TO THE ANTI-URUGUAYAN CAMPAIGN CURRENTLY IN FASHION. HE CLAIMED THAT THE GOU HAD DEALT HONESTLY AND FORTHRIGHTLY WITH THE IAHRC AND THAT ITS COMPLAINTS AGAINST THE BODY WERE ALREADY A MATTER OF WRITTEN RECORD AND IN THE POINTS MADE AT THE VII OASGA. HE CHARGED THAT WE WERE SIDING WITH THE COMMISSION AGAINST THE GOU. THIS WAS VIEWED HERE AS ANOTHER ACTION IN THE USG CAMPAIGN AGAINST THE URUGUAYAN GOVERNMENT. I RETORTED THAT HE WAS DISTORTING REALITY. THE USG WAS NOT ARGUING
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IN FAVOR OF EITHER SIDE, BUT RATHER ENCOURAGING BOTH SIDES TO NEGOTIATE AWAY THEIR DIFFERENCES. I OBSERVED THAT IT WAS HARD TO SEE HOW URUGUAY PROPOSED TO IMPROVE ITS INTERNATIONAL IMAGE, AND IN SO DOING ITS RELATIONSHIP WITH THE UNITED STATES, IF IT REFUSED TO BUILD FRUITFUL RELATIONSHIPS WITH SUCH INTERNATIONALLY-RESPECTED ORGANIZATIONS AS THE IAHR. I REITERATED THAT THE CURRENT DIFFICULTY WAS A DIRECT RESULT OF THE GOU INITIATIVE TO BYPASS THE IAHR BY INVITING THE OASGA TO COME AND SEE THE HUMAN RIGHTS SITUATION. THIS INVITATION RAISED THE IAHR QUESTION AGAIN, AND NOW THAT IT WAS RAISED IT HAD TO BE DEALT WITH. I ACCEPTED HIS CLAIM THAT THE GOU SOUGHT TO IMPROVE RELATIONS WITH THE U.S. AS A SINCERE STATEMENT OF POLICY, AND NOTED THAT THE GOU WOULD BE TAKING A MAJOR STEP IN BEGINNING THAT PROCESS BY RESOLVING ITS DIFFERENCES WITH THE IAHR. AN ACKNOWLEDGEMENT BY THE IAHR, THROUGH A VISIT TO URUGUAY LATER THIS YEAR, THAT POSITIVE STEPS HAD BEEN TAKEN TO IMPROVE HUMAN RIGHTS, WOULD BE AN IMPORTANT INTERNATIONAL CERTIFICATION OF A POSITIVE TREND. NO UNILATERAL ACT ON THE PART OF THE GOU WOULD BE AS EFFECTIVE IN INTERNATIONAL PUBLIC-RELATIONS TERMS.

5. WE THEN GOT INTO A LONG DIALOGUE ON THE PLUSSES AND MINUSES OF THE GOU INITIATING TALKS WITH THE IAHR. SOME STRONGLY ARGUED THAT THE GOU WAS THE INJURED PARTY AND THAT CONSEQUENTLY, IT WOULD BE UNIDIGNIFIED FOR IT TO TAKE THE INITIATIVE TO IMPROVE RELATIONS WITH THE IAHR. I COUNTERED THAT THE GOU HAD THE NEGATIVE IMAGE PROBLEM, NOT THE IAHR. THUS, IT WAS IN THE SELF INTEREST OF THE GOU TO TAKE THE INITIATIVE. ALVAREZ ARGUED THAT NEGOTIATIONS WOULD ONLY CERTIFY THE "BIASED IAHR REPORT," AND REDOUND TO THE DISADVANTAGE OF

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URUGUAY. HE AND OTHERS QUESTIONED WHETHER THE IAHR WOULD NEGOTIATE IN GOOD FAITH, POINTING TO THE ALLEGED BIAS OF SOME IAHR MEMBER. (CHAIRMAN LUIS AGUILAR WAS MOST FREQUENTLY MENTIONED.) THEY WERE HAUNTED BY THE FEAR THAT NEGOTIATING WOULD APPEAR TO BE CAVING TO USG PRESSURE, AND THEY RESENTED THE IMPLICATION THAT THEY WOULD BE NEGOTIATING UNDER THE GUN IF THE VOTE ON THE SITE WERE NOT TREATED AS A SEPARATE ISSUE.

6 I ASSURED THEM THAT THE USG SOUGHT A SUCCESSFUL NEGOTIATION, AND THAT THE GOU COULD COUNT ON OUR GOOD OFFICES TO HELP BRING THE NEGOTIATIONS TO A CONCLUSION SATISFACTORY TO BOTH PARTIES. NATURALLY, THIS PRESUPPOSED A WILLINGNESS BY BOTH PARTIES TO BREAK THROUGH THE BARRIER

OF PAST DIFFERENCES AND TO AGREE ON THE TERMS OF REFERENCE OF A NEW RELATIONSHIP. AS IS CUSTOMARY IN ANY NEGOTIATIONS, EACH PARTY HAS A RIGHT TO PROTECT ITS POSITION AND EVEN TO ENTER WITH CERTAIN UNDERSTANDINGS. ALVAREZ INTERRUPTED TO QUESTION HOW THE REPORT WRITTEN BY GOLDMAN COULD BE BLOTTED FROM THE RECORD, ASKING IF AN UNDERSTANDING COULD INCLUDE PRIOR AGREEMENT THAT THE REPORT WOULD BE DESTROYED. I SAID I SAW NO REASON WHY THE GOU COULD NOT MAKE THAT A CONDITION IN THE NEGOTIATION, INASMUCH AS ALL AGREED THAT THE REPORT SUFFERED BECAUSE IT WAS WRITTEN WITHOUT BENEFIT OF AN ON-SITE INSPECTION. IN ANY EVENT, THE PURPOSE OF THE NEGOTIATION WAS TO ESTABLISH THE BASIS FOR A NEW RELATIONSHIP.

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6. BENDAHAN WAS THE ONLY MEMBER WHO SUPPORTED THE CONCEPT OF NEGOTIATION AS A "PRAGMATIC APPROACH TO RESOLVE THE PROBLEM BEFORE US." HE SAW NO POINT IN DWELLING ON THE PAST AND SAW MERIT IN BREAKING THROUGH AN OBSTACLE WHICH HAD LED TO NOTHING BUT NEGATIVE CONSEQUENCES. HE SAID HE DID NOT FIND ANY COMFORT IN THE CHOICES BEFORE THEM, BUT HE SAW THE SENDING OF A SPECIAL DELEGATION TO BEGIN NEGOTIATIONS WITH THE IAHRIC IMMEDIATELY AS THE MOST ADVANTAGEOUS.

7. AS THE FOUR AND ONE-HALF HOUR SESSION DREW TO A CLOSE, IT WAS AGREED THAT THEY HAD THE FOLLOWING OPTIONS.

A. FIRST, SENDING A SPECIAL DELEGATION TO BEGIN IMMEDIATE NEGOTIATIONS WITH THE IAHRIC UNDER CONDITIONS ACCEPTABLE TO BOTH PARTIES. THE GOU COULD COUNT ON USG TO HELP THROUGH OUR GOOD OFFICES TO BRING ABOUT A SUCCESSFUL OUTCOME. THE GOU COULD TAKE FULL CREDIT FOR THIS INITIATIVE.

THIS OPTION WOULD REQUIRE A GOU REQUEST TO THE OAS TO PUT OFF THE VOTE ON THE SITE ISSUE UNTIL THE NEGOTIATIONS HAD TAKEN PLACE.

B. SECOND, GO TO A VOTE ON THURSDAY, JANUARY 26, WITH THE NEAR CERTAINTY THAT THE GOU WOULD LOSE. THIS WOULD NOT SUIT THE INTEREST OF EITHER COUNTRY. THE USG DID NOT SEEK THIS VOTE AND WOULD FIND NO JOY IN
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VICTORY, BUT IT WOULD HAVE TO DEFEND THE INTEGRITY OF THE INTER-AMERICAN SYSTEM AND OF THE IAHR. THEY AGREED THAT THIS OPTION WAS THE LEAST DESIRABLE.

C. THIRD, THE GOU COULD REQUEST THE OAS TO POSTPONE A VOTE ON ITS INVITATION WITHOUT TAKING ANY ACTION ON THE IAHR. THIS "RETREAT" OFFERED THE GOU SOME FACE SAVING AND THE OPPORTUNITY EITHER TO SHELVE THEIR INVITATION OR TO STUDY FURTHER A POSSIBLE REAPPROACHMENT TO THE IAHR.

8. THE ATTENDEES INFORMED ME TOWARD THE END OF THE SESSION THAT THEY WOULD BRING THIS MATTER TO THEIR SUPERIORS (I.E. CINCS PROBABLY ALSO JUNTA OF GENERALS) FOR DECISION. THEY OFFERED NO INDICATION OF THEIR RECOMMENDATIONS AND PROMISED TO ADVISE ME EARLY NEXT WEEK OF THEIR DECISION. I SAID I WOULD REPORT THE SUBSTANCE OF OUR CONVERSATION TO WASHINGTON AND WAS PREPARED TO DISCUSS THIS ISSUE FURTHER IF THEY SO DESIRED.

9. COMMENT: THE POLITICAL COMMISSION NOT ONLY SPENT FOUR AND ONE-HALF HOURS WITH ME, BUT THEY HAD FONMIN OFFICIALS IN FOR THREE HOURS BEFORE I GOT THERE AND STAYED ON LATE INTO THE NIGHT AFTER I LEFT. UNLIKE MOST OF THE DECISIONS THEY TAKE, INCLUDING THE ONE TO HOST THE OASGA, THIS TIME THEY ARE DOING A THOROUGH JOB OF TRYING TO GET ALL THE FACTS STRAIGHT. WE ARE COMING DOWN TO THE WIRE ON THIS ISSUE. AT THIS CRITICAL POINT, WE MUST BE ABSOLUTELY SURE THAT WE RETAIN THE VOTES TO BLOCK AND THAT THEY BE KEPT AWARE OF THE TRUE VOTE SITUATION. ONE OF THE REAL DANGERS IS THE POSSIBILITY OF MISCALCULATION ON THEIR PART BASED ON MISINFORMATION. I UNDERSTAND THAT PRESIDENT MENDEZ HAS BEEN ASSURED THEY HAVE THE VOTES. HE IS BOASTING THAT "ASTUTE DIPLOMATIC
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HANDLING BY ROCA" AND ASSURANCES HE RECEIVED DIRECTLY

BY TELEGRAM FROM TORRIJOS IN PANAMA AND FROM THE
MEXICAN GOVERNMENT, PUT THEM OVER THE TOP. IF A VOTE
WERE TAKEN ON THURSDAY AND WE LOST, IT WOULD BE A MAJOR
DEFEAT FOR THE ADMINISTRATION'S HUMAN RIGHTS POLICY IN THE
HEMISPHERE, A DAMAGING SPANNER IN THE WORKS OF THE OAS
HUMAN RIGHTS MACHINERY AND A SERIOUS SETBACK TO BRING
ABOUT IMPROVEMENT IN THE GOU'S HUMAN RIGHTS PERFORMANCE
AND OUR BILATEAL RELATIONS. I REMAIN MILDLY CONFIDENT
THAT THE GOU WILL BACK AWAY FROM A VOTE CONFRONTATION,
BUT IF THEY DON'T WE CANNOT AFFORD TO LOSE AND SUFFER
THESE CONSEQUENCES.
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